

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

RANDALL E. MILLER,

Defendant.

Case No. 97-CR-98-13-JPS

ORDER

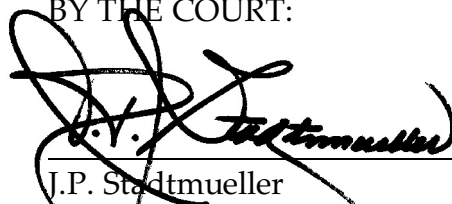
On January 9, 2017, the defendant filed a motion to reduce his sentence. (Docket #2189). The defendant requests that his sentence be reduced because of a retroactive amendment to the drug quantity tables used in establishing his sentencing guideline range. *Id.* The motion must be denied because it is futile. The highest offense level for his sentence arose from a homicide charged in Act 13 of Count One. The acts involving drug distribution had no effect on the offense level or guideline range. In other words, even if the Court gave the defendant his desired offense level reduction, his sentence would not change.

Accordingly,

IT IS ORDERED that the defendant's motion to reduce his sentence (Docket #2189) be and the same is hereby **DENIED**.

Dated at Milwaukee, Wisconsin, this 17th day of January, 2017.

BY THE COURT:



J.P. Stadtmueller
U.S. District Judge